

HARRIS,  
WILTSHIRE &  
GRANNIS LLP

EX PARTE OR LATE FILED

1200 EIGHTEENTH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW.HARRISWILTSHIRE.COM

ATTORNEYS AT LAW

DOCKET NO. 000000000000 ORIGINAL

RECEIVED

FEB - 6 2006

ORIGINAL

Federal Communications Commission  
Office of Secretary

6 February 2006

Ex Parte – Confidentiality Request

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *In the Matter of Improving Public Safety Communications in the 800 MHz Band*  
*WT Docket 02-55; ET Docket 00-258; RM-9498; RM-10024; ET Docket 95-18*

Dear Ms. Dortch:

On 14 October 2005, James Goldstein of Sprint Nextel, and Gina Keeney and Scott Blake Harris representing Sprint Nextel, met with Heather Dixon, legal advisor to Chairman Martin, to discuss strategies for international negotiations with the Government of Mexico regarding use of the 800 MHz band along the U.S./Mexican border. Sprint Nextel believes this discussion is exempt from the disclosure obligations of *ex parte* rules since it involved the foreign affairs function of the United States. *See* 47 C.F.R. § 1.204(a)(4). *See also: Robert J. Butler On Request for Inspection of Records*, Memorandum Opinion and Order, 6 FCC Rcd. 5414, 5417 (¶ 30) (1991).

Nevertheless, that same day, Sprint Nextel sought guidance of the Office of the General Counsel (OGC) as to whether the foreign affairs exemption to the *ex parte* disclosure rules was applicable to this discussion, and indicated that several similar meetings would be held with legal advisors to other Commissioners, and with the Wireless Telecommunications Bureau (WTB) and the International Bureau (IB). We subsequently met with WTB and IB on October 24<sup>th</sup>, and with John Giusti of Commissioner Copps's office and Barry Ohlson of Commissioner Adelstein's office on November 7<sup>th</sup>, to discuss the negotiations with the Government of Mexico regarding the 800 MHz band.

No. of Copies rec'd 0  
List A B C D E

Ms. Marlene Dortch  
6 February 2006  
Page 2

Sprint Nextel has now been informed by OGC that its *ex parte* disclosure obligations, if any, would be satisfied by filing an *ex parte* disclosure, under seal, with a request for confidential treatment. Accordingly, that disclosure is attached under seal and Sprint Nextel requests that it be withheld from routine public inspection pursuant to 47 C.F.R. § 0.459. The primary reason for this request is that there are ongoing international spectrum negotiations regarding the use of the 800 MHz band along the U.S./Mexican Border. Sprint Nextel has no objection, however, to making this information available on an individualized basis to any entity that is currently a party to the above-captioned proceeding.

Please let me know if you need any further information.

Sincerely yours,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping initial "S" and the name "HARRIS" in all caps.

Scott Blake Harris

Cc: Joel Kaufman  
Selina Khan  
Heather Dixon  
Barry Ohlson  
John Giusti  
Cathy Scidel  
Don Abelson

**HARRIS,  
WILTSHIRE &  
GRANNIS LLP**

**EX PARTE OR LATE FILED**

1200 EIGHTEENTH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW.HARRISWILTSHIRE.COM

ATTORNEYS AT LAW

DOCKET FILE COPY ORIGINAL

**RECEIVED**

**ORIGINAL**

6 February 2006

FEB - 6 2006

Federal Communications Commission  
Office of Secretary

Ex Parte – Confidentiality Request

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *In the Matter of Improving Public Safety Communications in the 800 MHz Band  
WT Docket 02-55; ET Docket 00-258; RM-9498; RM-10024; ET Docket 95-18*

Dear Ms. Dortch:

On 14 October 2005, James Goldstein of Sprint Nextel, and Gina Keeney and Scott Blake Harris representing Sprint Nextel, met with Heather Dixon, legal advisor to Chairman Martin, to discuss strategies for international negotiations with the Government of Mexico regarding use of the 800 MHz band along the U.S./Mexican border. Sprint Nextel believes this discussion is exempt from the disclosure obligations of *ex parte* rules since it involved the foreign affairs function of the United States. *See* 47 C.F.R. § 1.204(a)(4). *See also: Robert J. Butler On Request for Inspection of Records*, Memorandum Opinion and Order, 6 FCC Rcd. 5414, 5417 (¶ 30) (1991).

Nevertheless, that same day, Sprint Nextel sought guidance of the Office of the General Counsel (OGC) as to whether the foreign affairs exemption to the *ex parte* disclosure rules was applicable to this discussion, and indicated that several similar meetings would be held with legal advisors to other Commissioners, and with the Wireless Telecommunications Bureau (WTB) and the International Bureau (IB). We subsequently met with WTB and IB on October 24<sup>th</sup>, and with John Giusti of Commissioner Copps's office and Barry Ohlson of Commissioner Adelstein's office on November 7<sup>th</sup>, to discuss the negotiations with the Government of Mexico regarding the 800 MHz band.

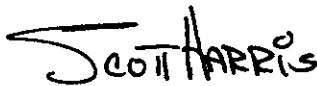
No. of Copies rec'd 0  
List A B C D E

Ms. Marlene Dortch  
6 February 2006  
Page 2

Sprint Nextel has now been informed by OGC that its *ex parte* disclosure obligations, if any, would be satisfied by filing an *ex parte* disclosure, under seal, with a request for confidential treatment. Accordingly, that disclosure is attached under seal and Sprint Nextel requests that it be withheld from routine public inspection pursuant to 47 C.F.R. § 0.459. The primary reason for this request is that there are ongoing international spectrum negotiations regarding the use of the 800 MHz band along the U.S./Mexican Border. Sprint Nextel has no objection, however, to making this information available on an individualized basis to any entity that is currently a party to the above-captioned proceeding.

Please let me know if you need any further information.

Sincerely yours,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping "S" and a distinct "H".

Scott Blake Harris

Cc: Joel Kaufman  
Selina Khan  
Heather Dixon  
Barry Ohlson  
John Giusti  
Cathy Seidel  
Don Abelson

HARRIS,  
WILTSHIRE &  
GRANNIS LLP

EX PARTE OR LATE FILED

1200 EIGHTEENTH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW.HARRISWILTSHIRE.COM

ATTORNEYS AT LAW

DOCKET FILE COPY ORIGINAL  
**RECEIVED**

6 February 2006

FEB - 6 2006

Federal Communications Commission  
Office of Secretary

**ORIGINAL**

Ex Parte – Confidentiality Request

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *In the Matter of Improving Public Safety Communications in the 800 MHz Band*  
*WT Docket 02-55; ET Docket 00-258; RM-9498; RM-10024; ET Docket 95-18*

Dear Ms. Dortch:

On 14 October 2005, James Goldstein of Sprint Nextel, and Gina Keeney and Scott Blake Harris representing Sprint Nextel, met with Heather Dixon, legal advisor to Chairman Martin, to discuss strategies for international negotiations with the Government of Mexico regarding use of the 800 MHz band along the U.S./Mexican border. Sprint Nextel believes this discussion is exempt from the disclosure obligations of *ex parte* rules since it involved the foreign affairs function of the United States. *See* 47 C.F.R. § 1.204(a)(4). *See also: Robert J. Butler On Request for Inspection of Records*, Memorandum Opinion and Order, 6 FCC Red. 5414, 5417 (¶ 30) (1991).

Nevertheless, that same day, Sprint Nextel sought guidance of the Office of the General Counsel (OGC) as to whether the foreign affairs exemption to the *ex parte* disclosure rules was applicable to this discussion, and indicated that several similar meetings would be held with legal advisors to other Commissioners, and with the Wireless Telecommunications Bureau (WTB) and the International Bureau (IB). We subsequently met with WTB and IB on October 24<sup>th</sup>, and with John Giusti of Commissioner Copps's office and Barry Ohlson of Commissioner Adelstein's office on November 7<sup>th</sup>, to discuss the negotiations with the Government of Mexico regarding the 800 MHz band.

No. of Copies rec'd 0  
List A B C D E

Sprint Nextel has now been informed by OGC that its *ex parte* disclosure obligations, if any, would be satisfied by filing an *ex parte* disclosure, under seal, with a request for confidential treatment. Accordingly, that disclosure is attached under seal and Sprint Nextel requests that it be withheld from routine public inspection pursuant to 47 C.F.R. § 0.459. The primary reason for this request is that there are ongoing international spectrum negotiations regarding the use of the 800 MHz band along the U.S./Mexican Border. Sprint Nextel has no objection, however, to making this information available on an individualized basis to any entity that is currently a party to the above-captioned proceeding.

Please let me know if you need any further information.

Sincerely yours,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping initial "S" and the name "SCOTT HARRIS" written in all caps.

Scott Blake Harris

Cc: Joel Kaufman  
Selina Khan  
Heather Dixon  
Barry Ohlson  
John Giusti  
Cathy Seidel  
Don Abelson

HARRIS,  
WILTSHIRE &  
GRANNIS LLP

EX PARTE OR LATE FILED

1200 EIGHTEENTH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW.HARRISWILTSHIRE.COM

ATTORNEYS AT LAW

DOCKET FILE COPY ORIGINAL

RECEIVED

6 February 2006

FEB - 6 2006

Federal Communications Commission  
Office of Secretary

ORIGINAL

Ex Parte – Confidentiality Request

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *In the Matter of Improving Public Safety Communications in the 800 MHz Band*  
*WT Docket 02-55; ET Docket 00-258; RM-9498; RM-10024; ET Docket 95-18*

Dear Ms. Dortch:

On 14 October 2005, James Goldstein of Sprint Nextel, and Gina Keeney and Scott Blake Harris representing Sprint Nextel, met with Heather Dixon, legal advisor to Chairman Martin, to discuss strategies for international negotiations with the Government of Mexico regarding use of the 800 MHz band along the U.S./Mexican border. Sprint Nextel believes this discussion is exempt from the disclosure obligations of *ex parte* rules since it involved the foreign affairs function of the United States. See 47 C.F.R. § 1.204(a)(4). See also: **Robert J. Butler On Request for Inspection of Records**, Memorandum Opinion and Order, 6 FCC Rcd. 5414, 5417 (¶ 30) (1991).

Nevertheless, that same day, Sprint Nextel sought guidance of the Office of the General Counsel (OGC) as to whether the foreign affairs exemption to the *ex parte* disclosure rules was applicable to this discussion, and indicated that several similar meetings would be held with legal advisors to other Commissioners, and with the Wireless Telecommunications Bureau (WTB) and the International Bureau (IB). We subsequently met with WTB and IB on October 24<sup>th</sup>, and with John Giusti of Commissioner Copps's office and Barry Ohlson of Commissioner Adelstein's office on November 7<sup>th</sup>, to discuss the negotiations with the Government of Mexico regarding the 800 MHz band.


No. of Copies rec'd 0  
List A B C D E

Ms. Marlene Dortch  
6 February 2006  
Page 2

Sprint Nextel has now been informed by OGC that its *ex parte* disclosure obligations, if any, would be satisfied by filing an *ex parte* disclosure, under seal, with a request for confidential treatment. Accordingly, that disclosure is attached under seal and Sprint Nextel requests that it be withheld from routine public inspection pursuant to 47 C.F.R. § 0.459. The primary reason for this request is that there are ongoing international spectrum negotiations regarding the use of the 800 MHz band along the U.S./Mexican Border. Sprint Nextel has no objection, however, to making this information available on an individualized basis to any entity that is currently a party to the above-captioned proceeding.

Please let me know if you need any further information.

Sincerely yours,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping initial "S" and the name "HARRIS" in all caps.

Scott Blake Harris

Cc: Joel Kaufman  
Selina Khan  
Heather Dixon  
Barry Ohlson  
John Giusti  
Cathy Seidel  
Don Abelson



HARRIS,  
WILTSHIRE &  
GRANNIS LLP

DOCKET FILE COPY ORIGINAL

EX PARTE OR LATE FILED

1200 EIGHTEENTH STREET, NW  
WASHINGTON, DC 20036

TEL 202.730.1300 FAX 202.730.1301  
WWW.HARRISWILTSHIRE.COM

ATTORNEYS AT LAW

RECEIVED

6 February 2006

FEB - 6 2006

Federal Communications Commission  
Office of Secretary

Ex Parte -- Confidentiality Request

ORIGINAL

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: *In the Matter of Improving Public Safety Communications in the 800 MHz Band*  
*WT Docket 02-55; ET Docket 00-258; RM-9498; RM-10024; ET Docket 95-18*

Dear Ms. Dortch:

On 14 October 2005, James Goldstein of Sprint Nextel, and Gina Keeney and Scott Blake Harris representing Sprint Nextel, met with Heather Dixon, legal advisor to Chairman Martin, to discuss strategies for international negotiations with the Government of Mexico regarding use of the 800 MHz band along the U.S./Mexican border. Sprint Nextel believes this discussion is exempt from the disclosure obligations of *ex parte* rules since it involved the foreign affairs function of the United States. *See* 47 C.F.R. § 1.204(a)(4). *See also: Robert J. Butler On Request for Inspection of Records*, Memorandum Opinion and Order, 6 FCC Rcd. 5414, 5417 (¶ 30) (1991).

Nevertheless, that same day, Sprint Nextel sought guidance of the Office of the General Counsel (OGC) as to whether the foreign affairs exemption to the *ex parte* disclosure rules was applicable to this discussion, and indicated that several similar meetings would be held with legal advisors to other Commissioners, and with the Wireless Telecommunications Bureau (WTB) and the International Bureau (IB). We subsequently met with WTB and IB on October 24<sup>th</sup>, and with John Giusti of Commissioner Copps's office and Barry Ohlson of Commissioner Adelstein's office on November 7<sup>th</sup>, to discuss the negotiations with the Government of Mexico regarding the 800 MHz band.

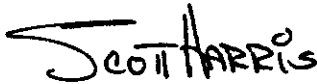
No. of Copies rec'd 0  
List A B C D E

Ms. Marlene Dortch  
6 February 2006  
Page 2

Sprint Nextel has now been informed by OGC that its *ex parte* disclosure obligations, if any, would be satisfied by filing an *ex parte* disclosure, under seal, with a request for confidential treatment. Accordingly, that disclosure is attached under seal and Sprint Nextel requests that it be withheld from routine public inspection pursuant to 47 C.F.R. § 0.459. The primary reason for this request is that there are ongoing international spectrum negotiations regarding the use of the 800 MHz band along the U.S./Mexican Border. Sprint Nextel has no objection, however, to making this information available on an individualized basis to any entity that is currently a party to the above-captioned proceeding.

Please let me know if you need any further information.

Sincerely yours,

A handwritten signature in black ink that reads "SCOTT HARRIS". The signature is stylized with a large, sweeping initial "S" and the name "HARRIS" in all caps.

Scott Blake Harris

Cc: Joel Kaufman  
Selina Khan  
Heather Dixon  
Barry Ohlson  
John Giusti  
Cathy Seidel  
Don Abelson